

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MARIE MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
ROGER KRZEMINSKI
NANCY NEVERS

ABSENT: MICHAEL D. KOEHS, CLERK

Also in attendance: Jerome R. Schmeiser, Community Planning Consultant
Lawrence W. Dloski, Township Attorney
James Gelios, Township Deputy Clerk
James Van Tiflin, Township Engineer of Spalding DeDecker &
Associates. (Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor BRENNAN called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Service Award Presentation

1. Roll Call

Deputy Clerk James Gelios called the roll call. Clerk KOEHS not present.

MOTION by KRZEMINSKI seconded by BUCCI to refrain from calling the name of Michael D. Koehs for all future motions and roll call votes.

MOTION carried.

2. Approval of Agenda Items (with any corrections)

MOTION by BUCCI seconded by KRZEMINSKI to approve the amended agenda as discussed.

MOTION carried

3. Approval of Bills

MOTION by KRZEMINSKI seconded by DUNN to approve both bill runs as submitted.

MOTION carried.

4. Approval of the July 13, 2005 previous Meeting Minutes

MOTION by DUNN seconded by NEVERS to approve the revised July 13, 2005 Meeting Minutes.

MOTION carried.

5. **CONSENT AGENDA ITEMS:**

A. Clerks Department:

1. Release of Wall Sign Bond; Charter One Bank. Sec. 18

B. Department Monthly Reports

1. Building Department
2. Fire Department
3. Macomb County Sheriffs Department
4. Parks and Recreation Department
5. Water/Sewer Department

C. Water & Sewer Department:

1. Easement Encroachment Agreement, Mark & Nancy Oermann, 46800 Ferguson Drive, Macomb, MI 48044, Lot 20, Beaufait Farms Subdivision #1.
2. Easement Encroachment Agreement, Roy T. & Terri Walters, 47010 E. Liberty Bell Drive, Macomb, MI 48044, Lot 1, Freedom Valley Subdivision #1.
3. Easement Encroachment Agreement, Lori T. Mazur, 22472 Streamside Drive, Macomb, MI 48044, Lot 241, Creekside Village Subdivision #4.
4. Easement Encroachment Agreement, Charles S. Ruiz & Robin L. Holman, 50276 Hillside Drive, Macomb, MI 48044, Lot 187, Middle River Estates Subdivision.

5. Easement Encroachment Agreement, Paul V. & Christine M. Bologna, 18266 Teresa Drive, Macomb, MI 48044, Lot 176, Willowood Subdivision #3.
6. Easement Encroachment Agreement, Barry A. & Kimberly A. Lambert, 46765 Ferguson Drive, Macomb, MI 48044, Lot 36, Beaufait Farms Subdivision.

MOTION by KRZEMINSKI seconded by MALBURG to approve the consent agenda items as submitted.

MOTION carried.

6. Public Comments (Non Agenda items only - 3 minute time limit) None

PLANNING COMMISSION:

Previously shown as agenda item number 7

- 7a. **Final Preliminary Plat (Revised);Villagio Subdivision;** Located on the south side of 26 Mile Road and west of Romeo Plank Road; Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Franco Mancini, arrived at 7:15 p.m. was not present for the discussion on this request.

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the revised Final Preliminary Plat; Villagio Subdivision pursuant to fulfilling the standard conditions of the Planning Consultants as they relate to this proposal. Permanent Parcel No. 08-06-200-046.

MOTION carried.

Addition:

- 7b. **Final Plat; Villagio Subdivision;** Located on the south side of 26 Mile Road and west of Romeo Plank Road; Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046.

Supervisor BRENNAN reviewed that a variance was granted by this Board regarding the landscaping plan which expired on June 1, 2005 and has since been extended to August 1, 2005. One requirement for Final Plat approval is completion of the landscaping. Due to the construction of the walls etc. the landscaping is not complete. Therefore this plat is not ready for Final Plat approval. We are left with two choices to either deny the final plat application or table the matter to date specific.

Lawrence Dloski, Township Attorney, mentioned if the decision by this Board is to table the final plat, then the date that the matter is tabled to can not exceed twenty (20) days after the date the application was submitted. Therefore July 22, 2005 is day one.

Jerome R. Schmeiser, Community Planning Consultant, indicated other than the landscaping issues the reports from the Township Engineering Department and other departments are that the proposal would be ready to plat.

Petitioner Present: Franco Mancini, arrived at 7:15 p.m. was not present for the discussion on this request.

Public Portion: None

MOTION by KRZEMINSKI seconded by MALBURG to table the Final Plat; Villagio Subdivision to the next regular scheduled Board Meeting of August 10, 2005. Permanent Parcel No. 08-06-200-046.

MOTION carried.

Addition:

7c. **Final Plat; Harmony Acres Subdivision;** Located on the south side of 24 Mile Road ¾ mile east of Romeo Plank Road; Joseph VanHaverbeck, Petitioner.
Permanent Parcel No. 08-16-200-014.

Supervisor BRENNAN explained the issue involving the draft format of the restrictive covenants.

Petitioner Present: Joseph VanHaverbeck, requested that the matter be tabled to the next Board Meeting of August 10, 2005 to resolve the issues that remain with the restrictive covenants.

Public Portion: None

MOTION by KRZEMINSKI seconded by NEVERS to table the Final Plat; Harmony Acres Subdivision at the petitioners request to the next regular Township board of Trustees Meeting of August 10, 2005. Permanent Parcel No. 08-16-200-014.

MOTION carried.

8. **Landscape Plan (Revised); Suburban Ice of Macomb;** Located on the west side of Broughton Road approximately 300' south of 25 Mile Road. Tom Anastos, Petitioner. Permanent Parcel No. 08-09-200-003.

Supervisor BRENNAN reviewed the request and recommended that the Board approve the proposal.

Petitioner Present: Bob Sellman

Public Portion: None

MOTION by DUNN seconded by BUCCI to approve the Revised Landscape Plan; Suburban Ice of Macomb pursuant to fulfilling the standard conditions of the Planning Consultants as they relate to this proposal. Permanent Parcel No. 08-09-200-003.

MOTION carried.

NEW BUSINESS:

9. **Temporary Certificate of Occupancy; Suburban Ice of Macomb;** Located on the west side of Broughton Road approximately 300' south of 25 Mile Road. Tom Anastos, Petitioner. Permanent Parcel No. 08-09-200-003.

James VanTiflin, Township Engineer, reviewed the matter and the recommendation to approve the request.

Petitioner Present: Bob Sellman

Public Portion: None

MOTION by KRZEMINSKI seconded by DUNN to approve the Temporary Certificate of Occupancy; Suburban Ice of Macomb for one (1) sheet of ice for a period of sixty (60) days. Further that the second sheet of ice must be roped off and unused. This motion is pursuant to fulfilling the standard conditions of the

Planning Consultants as they relate to this proposal. Permanent Parcel No. 08-09-200-003

MOTION carried.

10. **Model Permits; Villagio Subdivision (Lot Nos. 55, 56, 57 & 58);** Located on the south side of 26 Mile Road and west of Romeo Plank Road; Franco Mancini, Petitioner. Section 06

Supervisor BRENNAN reviewed the request with Lawrence Dloski, Township Attorney. After due consideration Mr. Dloski indicated that the request can be approved.

Petitioner Present: Franco Mancini

Public Portion: None

MOTION by BUCCI seconded by KRZEMINSKI to approve the Model Permits for Villagio Subdivision Lot numbers 55, 56, 57, & 58. Section 6.

MOTION carried.

11. **Request to Adopt Resolution No. 1 to schedule (August 24, 2005) as the Public Hearing Date; SAD; Detention Basin; The Woodlands Subdivision;** Located on the east side of Card Road approximately ½ mile south of 23 Mile Road; GTR Builders, Petitioner. Permanent Parcel No. 08-23-300-021

Supervisor BRENNAN reviewed the request.

MOTION by KRZEMINSKI seconded by MALBURG to adopt Resolution Number 1 to schedule August 24, 2005 as the Public Hearing; The Woodlands Subdivision; Special Assessment District; Detention Basin. Permanent Parcel No. 08-23-300-021 the resolution is as follows:

RESOLUTION NO. 1

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on July 27, 2005, at 7:00 o'clock P.M., Eastern Daylight Savings Time.

PRESENT: John D. Brennan, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Roger Krzeminski, Nancy Nevers

ABSENT: Michel D. Koehs

The following preamble and resolution were offered by Member KRZEMINSKI and supported by Member MALBURG.

WHEREAS, final approval of The Woodlands Subdivision (the "Plat") has been requested by the proprietor(s) thereof; and

WHEREAS, the County Drain Commissioner of Macomb County (the "Drain Commissioner") and the Macomb Township Board (the "Township") have examined the Plat and are willing to approve it on the condition that Section 192, et seq. of the State Land Division Act, (the "Act"), requiring that the proprietor(s) provide a sedimentation basin, is satisfied; and

WHEREAS, The Woodlands Subdivision Association (the "Association") and/or, Lot Owners in The Woodlands Subdivision are responsible for the maintenance and operation of the sedimentation basins pursuant to and in accordance with a Declaration of Covenants and Restrictions which will be recorded with the Macomb County Register of Deeds coincident with the recording of Plat; and

WHEREAS, in the event the Association and/or Lot owners refuse, fail or neglect to maintain the sedimentation basins which results in conditions threatening public health, safety or welfare, thus requiring the Township to abate such conditions; and

WHEREAS, if the Township expends funds to correct such conditions and/or to assume the cost of operating and maintaining the sedimentation basins, it is desirable that a Special Assessment District be established which will enable the Township to spread the cost upon all property located in such district by the imposition of a special assessment levy; and

WHEREAS, it has been proposed that the special assessment levy for each lot within the Plat be equal to the annual cost of the operation and maintenance of the sediment basin multiplied by the fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Plat; and

WHEREAS, pursuant to Sections 192a(2) and 192a(5) of the Act, proper notice must be given and hearing held on creation of the Special Assessment District and defraying the cost of operating and maintaining the sedimentation basins by special assessment on the property benefited thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. That, subject to approval at a public meeting, the Township hereby declares a Special Assessment District pursuant to its authority granted by Section 192a of the Act and such Special Assessment District shall consist of a portion of the property contained within the Plat.

2. That the Township Board give notice of and hold a public hearing on August 24, 2005, on the creation of the Special Assessment District and objections thereto, including the defraying of the cost of operating and maintaining the sedimentation basins by special assessment on the property benefited thereby, shall be discussed. The operation and maintenance of the sedimentation basin shall include, but not be limited to, the operation and maintenance, the cutting of grass and the removal of weeds and other debris.

3. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, and papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution

AYES: KRZEMINSKI, MALBURG, DUNN, BUCCI, NEVERS, BRENNAN.

NAYS: NONE.

ABSENT: KOEHS.

Michael D. Koehs, CMC
Macomb Township Clerk

CERTIFICATE OF CLERK

I hereby certify that the attached constitutes a true and complete copy of a resolution adopted by the Township Board of the Township of Macomb, County of Macomb, State of Michigan, at a Regular meeting held on July 27, 2005, and that public notice of said meeting was given pursuant to Act 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

Michael D. Koehs, CMC
Macomb Township Clerk

RESOLUTION ADOPTED.

12. **Request to Adopt Resolution No. 1 to schedule (August 24, 2005) as the Public Hearing Date; SAD; Sedimentation Basin; Riviera Ridge Estates Subdivision;** Located on the east side of Card road approximately 819' north of 22 Mile Road. Riviera Ridge Estates LLC, Petitioner. Permanent Parcel No. 08-23-300-022.

Supervisor BRENNAN reviewed the request.

MOTION by DUNN seconded by MALBURG to adopt Resolution Number 1 to schedule August 24, 2005 as the Public Hearing Date; Riviera Ridge Estates Subdivision; Special Assessment District; Sedimentation Basin. Permanent Parcel No. 08-23-300-022 the resolution is as follows:

RESOLUTION NO. 1

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on July 27, 2005 at 7:00 o'clock P.M., Eastern Daylight Savings Time.

PRESENT: John D. Brennan, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Roger Krzeminski, Nancy Nevers

ABSENT: Michael D. Koehs,

The following preamble and resolution were offered by Member DUNN and supported by Member MALBURG.

WHEREAS, final approval of Riviera Ridge Estates Subdivision (the "Plat") has been requested by the proprietor(s) thereof; and

WHEREAS, the County Drain Commissioner of Macomb County (the "Drain Commissioner") and the Macomb Township Board (the "Township") have examined the Plat and are willing to approve it on the condition that Section 192(d) of Act 288 of 1967, (the "Act"), requiring that the proprietor(s) provide a Sediment Basin; and

WHEREAS, Riviera Ridge Estates Subdivision Association or Lot Owners of the Plat are responsible for the maintenance and operation of the Sediment Basin pursuant to and in accordance with a Declaration of Covenants and Restrictions which will be recorded with the Macomb County Register of Deeds coincident with the recording of the Plat; and

WHEREAS, in the event the Association or Lot Owners refuse, fail or neglect to maintain the Sediment Basin for Riviera Ridge Estates which results in conditions threatening public health, safety or welfare may require the Township to abate such conditions; and

WHEREAS, if the Township expends funds to correct such conditions and/or to assume the cost of operating and maintaining the Sediment Basin, it is desirable that a Special Assessment District be established which will enable the Township to spread the cost upon all property located in such district by the imposition of a special assessment levy; and

WHEREAS, it has been proposed that the special assessment levy for each lot within the Plat be equal to the annual cost of the operation and maintenance of the Sediment Basin multiplied by the fraction, the numerator of which is one (1) and the denominator of which is fifty-seven (57) the total number of lots in the Plat; and

WHEREAS, pursuant to Sections 192a(2) and 192a(5) of the Act, proper notice must be given and hearing held on creation of the Special Assessment District and defraying the cost of operating and maintaining the Sediment Basin for Riviera Ridge Estates Subdivision by special assessment on the property benefited thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. That, subject to approval at a public meeting, the Township hereby declares a Special Assessment District pursuant to its authority granted by Section 192a of the Act and such Special Assessment District shall consist of a portion of the property contained within the Plat.

2. That the Township Board give notice of and hold a public hearing on August 24, 2005, on the creation of the Special Assessment District and objections thereto, including the defraying of the cost of operating and maintaining the Sediment Basin for Riviera Ridge Estates Subdivision by special assessment on the property benefited thereby, shall be discussed. The operation and maintenance of the Sediment Basin for Riviera Ridge Estates Subdivision shall include, but not be limited to, the operation and maintenance, the cutting of grass and removal of weeds and other debris.

UNAPPROVED

3. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, and papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

AYES: DUNN, MALBURG, BUCCI, KRZEMINSKI, NEVERS, BRENNAN.

NAYS: NONE

ABSENT: KOEHS

**Michael D. Koehs, CMC
Macomb Township Clerk**

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the attached constitutes a true and complete copy of a resolution adopted by the Township Board of the Township of Macomb, County of Macomb, State of Michigan, at a regular meeting held on July 27, 2005, and that public notice of said meeting was given pursuant to Act 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

**Michael D. Koehs, CMC
Macomb Township Clerk**

RESOLUTION ADOPTED.

13. **Request to Adopt Resolution No. 1 to schedule (August 24, 2005) as the Public Hearing Date; SAD; Detention Basin; Wolverine Country Club;**
Located on the northwest corner of 25 Mile and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

Supervisor BRENNAN reviewed the request.

MOTION by BUCCI seconded by KRZEMINSKI to adopt Resolution Number 1 to schedule August 24, 2005 as the Public Hearing Date; Wolverine County Club; Special Assessment District; Detention Basin. Permanent Parcel No. 08-05-400-028 the resolution is as follows:

RESOLUTION NO. 1

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on July 27, 2005 at 7:00 o'clock P.M., Eastern Standard Time.

PRESENT: JOHN D. BRENNAN, MICHAEL D. KOEHS, MARIE E. MALBURG, DINO BUCCI, JR., JANET DUNN, ROGER KRZEMINSKI, NANCY NEVERS

ABSENT: MICHAEL D. KOEHS

The following preamble and resolution were offered by Member BUCCI and supported by Member KRZEMINSKI.

WHEREAS, final approval of Wolverine Country Club Subdivision (the "Plat") has been requested by the proprietor(s) thereof; and

WHEREAS, the County Drain Commission of Macomb County (the "Drain Commissioner") and the Macomb Township Board (the "Township") have examined the Plat and are willing to approve it on the condition that Section 192, et seq. of the State Land Division Act, (the "Act"), requiring that the proprietor(s) provide a detention basin, is satisfied; and

WHEREAS, Wolverine Country Club Subdivision Association (the "Association") and/or lot owners in the Wolverine Country Club Subdivision are responsible for the maintenance and operation of the detention basin pursuant to and in accordance with the Declaration of Covenants and Restrictions which will be recorded with the Macomb County Register of Deeds coincident with the recording of Plat; and

WHEREAS, in the event the Association and/or lot owners refuse, fail or neglect to maintain the detention basin which results in conditions threatening public health, safety or welfare, and requiring the Township to abate such conditions; and

WHEREAS, if the Township expends funds to correct such conditions and/or to assume the cost of operating and maintaining the detention basin, it is desirable

that a Special Assessment District be established which will enable the Township to spread the cost upon all property located in such district by the imposition of a special assessment levy; and

WHEREAS, it has been proposed that the special assessment levy for each lot within the Plat be equal to the annual cost of operation and maintenance of the detention basin multiplied by the fraction, the numerator of which is one (1) and the dominator of which is the total number of lots in the Plat; and

WHEREAS, pursuant to Section 192a(2) and 192a(5) of the Act, proper notice must be given and a hearing held on creation of the Special Assessment District and defraying the cost of operating and maintaining the detention basin by special assessment on the property benefited thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. That, subject to approval at a public meeting, the Township hereby declares a Special Assessment District pursuant to its authority granted by Section 192(a) of the Act and such Special Assessment District shall consist of a portion of the property contained within the Plat.

2. That the Township Board give notice of and hold a public hearing on August 24, 2005, on the creation of the Special Assessment District and objections thereto, including the defraying of the cost of operating and maintaining the detention basin by special assessment on the property benefited thereby shall be discussed. The operation and maintenance of the detention basin shall include, but not be limited to, the operation and maintenance, the cutting of grass and removal of weeds and other debris.

3. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect or make operative any and all matter and things authorized or permitted to be done by this resolution.

AYES: BUCCI, KRZEMINSKI, DUNN, NEVERS, MALBURG, BRENNAN.

NAYS: NONE.

ABSENT: KOEHS

Michael D. Koehs, CMC
Macomb Township Clerk

CERTIFICATE OF CLERK

I hereby certify that the attached constitutes a true and complete copy of a resolution adopted by the Township Board of the Township of Macomb, County of Macomb, State of Michigan, at a Regular meeting held on July 27, 2005, and that public notice of said meeting was given pursuant to Act 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

Michael D. Koehs, CMC
Macomb Township Clerk

RESOLUTION DECLARED ADOPTED.

14. Request to Adopt the Informal Petition; SAD; Sanitary Sewer; Rochelle and Sonnett Drives. Sec. 25

Supervisor BRENNAN reviewed the matter with Lawrence Dloski, Township Attorney. After due consideration Supervisor BRENNAN recommended that the Board take action on the matter.

Public Portion: Sandy Sadocha, Township resident, reviewed the procedures of this proposal with the Township Supervisor.

MOTION by DUNN seconded by NEVERS to adopt the Informal Petition for the special assessment district for sanitary sewers for Rochelle and Sonnett Drives as presented.

MOTION carried.

OLD BUSINESS:

15. **Temporary Certificate of Occupancy Request; Site Plan; Romeo Plank Crossing (Shields Pizza);** Located on the southeast corner of Romeo Plank Road and 23 Mile Road; Morelli Investments, Petitioner. Permanent Parcel No. 08-20-200-046.

Supervisor BRENNAN reviewed the request and indicated the petitioner has satisfied the Building Official by receiving a permit from the Macomb County Health Department.

Petitioner Present: David Morelli

MOTION by BUCCI seconded by NEVERS to approve the Temporary Certificate of Occupancy; Site Plan; Romeo Plank Crossing (Shields Pizza) for a period of six (6) months. Permanent Parcel No. 08-20-200-046.

MOTION carried.

16. **Extension of Time; Temporary Certificate of Occupancy; Site Plan; Mobil Gas Station (Heydenreich Retail Center);** Located on the northeast corner of Hall Road and Heydenreich Road. Solomon Mazer, Petitioner. Permanent Parcel No. 08-34-300-024. (Expires 9/22/05)

Supervisor BRENNAN reviewed the request and discussed the problems that remain on the involving the auto wash building not being complete, outside business violations and illegal signage. Supervisor BRENNAN recommended that the request be denied.

Petitioner: Not present

MOTION by BUCCI seconded by KRZEMINSKI to deny the Extension of Time; Temporary Certificate of Occupancy; Site Plan; Mobil Gas Station (Heydenreich Retail Center); Permanent Parcel No. 08-34-300-024

MOTION carried.

BUILDING DEPARTMENT:

17. Mechanical Inspector Conference Request

Bob Beckett, Building Official, reviewed the request.

MOTION by KRZEMINSKI seconded by MALBURG to approve the request for George Ryan, Mechanical Inspector to attend the Mechanical Inspector Conference beginning September 15, 2005 and ending September 17, 2005. Meals and Mileage will be reimbursed pursuant to the Township Policy.

MOTION carried.

HUMAN RESOURCE DEPARTMENT:

18. Retiree Benefits for Elected Officials (Supervisor, Clerk, and Treasurer)

John Brogowicz, Human Resource Director, reviewed the request.

Public Portion: Victoria Selva, Township resident, suggested clarifying the language to read more clearly.

MOTION by KRZEMINSKI seconded by DUNN to adopt the proposed changes in the language for Retiree Benefits for Elected Officials (Supervisor, Clerk, & Treasurer) subject to a resolution being created by Lawrence Dloski, Township Attorney and John Brogowicz, Human Resource Director to include the following language with revisions as needed:

Full time Elected Officials (Supervisor, Clerk and Treasurer) shall be eligible for retiree benefits: Life, Medical and Hospitalization, Dental, and Vision Insurance; for themselves and their spouse, if any, at the time of retirement. The insurance providers and types of coverage will be at the discretion of the Township Board of Trustees.

Each Elected Official will be vested in the retiree benefit program at a rate of thirty-three and one third percent (33 1/3 %) for every four (4) years served in the capacity of the Supervisor, Clerk and/or Treasurer. The years in office do not have to be consecutive nor do they have to be for the same full-time elected position, however, each year must be a “full” year (256 continuous days or 70%) in order to be counted. Additionally, if the elected official serves less than eight (8) full years, then no retiree benefit will be afforded.

Qualification for retiree benefits are as follows:

- **Normal Retirement: An Elected Official age 62 or older who has served ten (10) or more years in the position(s) of Supervisor, Clerk and/or Treasurer; or**

- **Deferred Retirement: An Elected Official who has served Twelve (12) or more years in the position(s) of Supervisor, Clerk and/or Treasurer shall be eligible for deferred retiree benefits at age 62.**

FOR THIS MOTION: KRZEMINSKI, DUNN, NEVERS, MALBURG, BUCCI, BRENNAN

OPPOSED: NONE

ABSENT: KOEHS

MOTION carried.

19. Repair of Front Entrance of the Town Hall Building

John Brogowicz, Human Resource Director, reviewed the request.

MOTION by DUNN seconded by KRZEMINSKI to approve the request and authorize Modern Mirror & Glass Company to replace current doors and side panels with aluminum doors with glass to match existing glass inside the entryway, reuse all existing hardware and cover all exterior wood including arched window frames with matching aluminum for the total cost of Twenty Eight Thousand Eight Hundred Eighty dollars and 00/100 (\$28,880.00).

MOTION carried.

WATER/SEWER DEPARTMENT:

20. District Compliance Agreement, Macomb Township and MDEQ
(Tabled from the July 13, 2005 Township Board of Trustees Meeting)

James VanTiflin, Township Engineer, reviewed the request.

Public Portion: None

MOTION by DUNN seconded by MALBURG to direct David Koss, Water & Sewer Department Superintendent to execute the District Compliance Agreement for Macomb Township and MDEQ.

MOTION carried.

21. Easement Agreement for Water Main, Consumers Energy
(Tabled from the July 13, 2005 Township Board of Trustees Meeting)

Tabled indefinitely at the Board of Trustees direction.

22. Pay Certificate #1, 23 Mile Road Sanitary Sewer (N. Ave west 1,800 ft.), L
D'Agostini & Sons, Inc., MA03-015.

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

**MOTION by BUCCI seconded by KRZEMINSKI to approve the pay certificate #1, 23 Mile Road Sanitary Sewer (N. Ave west 1,800 ft.), MA03-015 for the total cost of Fifty-Two Thousand Six Hundred Fifty dollars and 00/100 (\$52,650.00).
MOTION carried.**

23. Request for Temporary Cement Batch Plant, Florence Pavement Providers

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

MOTION by KRZEMINSKI seconded by DUNN to approve the temporary cement Batch Plant, Florence Pavement Providers for Pinnacle Woods Subdivision for a period of thirty (30) days beginning August 1, 2005 and ending September 1, 2005.

MOTION carried.

24. Purchase Requisitions:
a. Northern Concrete Pipe Inc.
b. SLC Meter Service

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

MOTION by BUCCI seconded by MALBURG to approve the request to purchase manhole adjustment rings through Northern Concrete Pipe Inc. for the total cost of Two Thousand One Hundred Thirty dollars and 00/100 (\$2,130.00).

MOTION carried.

MOTION by BUCCI seconded by MALBURG to approve the request purchase for meters and water main maintenance materials through SLC Meter Service for the total cost of Fourteen Thousand Seven Hundred Nineteen dollars and 72/100 (\$14,719.72).

MOTION carried.

BOARD COMMENTS:

25. Supervisor Comments:

Addition:

25a. Direct the Planning Commission to review and comment on the Township Zoning Ordinance requirements relating to cellular towers and the restrictions on the number of building structures per site.

Supervisor BRENNAN reviewed the request.

MOTION by KRZEMINSKI seconded by MALBURG to direct the Planning Commission to review and comment on the Township Zoning Ordinance requirements relating to cellular towers and the restrictions on the number of building structures per site.

MOTION carried.

Addition:

25b. Direct the Planning Commission to review and comment on the Township Zoning Ordinance requirements relating to the height of residential structures.

Supervisor BRENNAN reviewed the request.

MOTION by KRZEMINSKI seconded by DUNN to direct the Planning Commission to review and comment on the Township Zoning Ordinance requirements relating to the height of residential structures.

MOTION carried.

26. Clerk Comments: None

27. Treasurer Comments: None

28. Trustees Comments:

EXECUTIVE SESSION:

MOTION by BUCCI seconded by MALBURG to adjourn into executive session at 8:10 p.m.

MOTION carried. *The Board reconvened at 8:22 p.m.*

29. Landscapescource.com v Township of Macomb
(Tabled From the July 13, 2005 Meeting)

No action taken. Informational

30. RCM Properties, LLC v Township of Macomb Proposed Consent Judgment

MOTION by DUNN seconded by MALBURG to authorize the Township Supervisor, Clerk and legal counsel to sign the consent judgment for RCM Properties, LLC v Township of Macomb Proposed Consent Judgment.

MOTION carried.

ADJOURNMENT:

MOTION by BUCCI seconded by NEVERS to adjourn the meeting at 8:23 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan, Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/gmb